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10TH ANNUAL

No-Fault Summit

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Come together with 400+ colleagues to make sense of the ever-changing no-fault landscape. Get the latest guidance on practicing under *Andary*. Gain successful strategies for litigating catastrophic claims. Dive deep into best ways to plead, defend, and refute damages.

Nowhere else can you get practical insights from plaintiff and defense lawyers, judges, and insurance professionals. And don't miss Bob Logeman's final first-party update after 43 years as an ICLE presenter!

Practicing Under Andary

The Michigan Court of Appeals ruling that the 2019 statutory reforms limiting benefits don't apply retroactively has many implications. No matter where things lie with *Andary* at the time of the summit, get the most up-to-the-minute information. Lori McAllister, who represented insurers in the case, discusses strategies and outcomes going forward. And well-known practitioners Bob Logeman and John Whitman break down practicing under *Andary* and its impact on practice and injunctions.



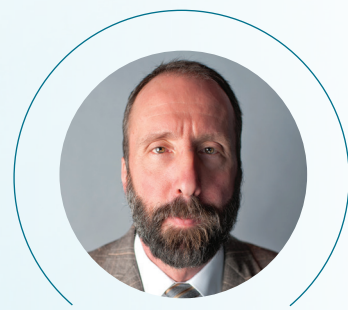
Lori McAllister

Dykema,
Lansing



Robert E. Logeman

Logeman Iafate & Logeman PC,
Ann Arbor



John W. Whitman

Garan Lucow Miller PC,
Ann Arbor

Advice You Need Now

Catastrophic Injury Claims

Gain best practices to successfully handle and litigate catastrophic claims. Experts answer questions like, What benefits can your clients get in light of caps? What about alternative treatments? Grasp this complex area of no-fault litigation, from vehicle modifications to the effects of reform.

Featured Speakers



Ronald M. Sangster, Jr.
Law Offices of Ronald M.
Sangster PLLC, *Troy*

Auto Tort Damages

In two sessions featuring four experts, take a deep dive into how to plead, defend, and refute damages—both economic and noneconomic. Get plaintiff and defense strategies and know what to look for in light of the new no-fault law.



Sarah Stempky-Kime
Christensen Law, *Southfield*

Views from the Bench

One of last year's most popular sessions is back! Two trial court judges and an appellate judge weigh in on no-fault litigation issues—everything from virtual proceedings to what would make them consider reversing a decision.



Hon. Douglas B. Shapiro
Michigan Court of Appeals,
Lansing

Preparation for an Adjuster Deposition

Get expert insight on everything from what questions are allowable to proper defense objections. Explore what documents should be produced in responding to a deposition notice *duces tecum*.



Cinnamon A. Plonka
Zausmer PC, *Farmington Hills*

Core Concepts

Experienced practitioners quickly get you or your new associates up to speed with practical advice. In three sessions, plaintiff and defense lawyers break down everything from properly requesting records to keeping the jury engaged. Retired judge James Rashid, who specializes in alternative dispute resolution, shares how to effectively handle and resolve your case.



James J. Rashid
Judicial Resource Services PC,
Farmington Hills

Agenda

CLE: 8.5 | Level: Basic/Intermediate/Advanced

8:00am Registration, Continental Breakfast, and Vendor Showcase (Both Days)

THURSDAY, APRIL 27, 2023

9:00am First-Party Litigation Update

9:55am Third-Party Threshold Litigation

10:40am Networking Break

10:55am No-Fault Benefits, Setoffs, and Priorities Update

	Core Concepts Track	Claims Handling Track	Third-Party Issues Track
11:45am	Best Practices for Pretrial Discovery and Motions for Summary Disposition	Red Flags in the Claims File	Changes to Third-Party Litigation and Utilization Review: Usage and Determination Trends

12:30pm Networking Lunch

	Core Concepts Track	Claims Handling Track	Third-Party Issues Track
1:45pm	Settlement and ADR: Resolving Cases in No-Fault	Documenting Claims Files	Auto Tort Damages: Noneconomic Damages—Presenting and Defending
2:35pm	Trial: Preparation and Practice	Preparation for an Adjuster Deposition	Auto Tort Damages: Economic Damages—Presenting and Defending

3:20pm Networking Break

3:50pm Handle Catastrophic Injury Claims

4:50pm Networking Reception

FRIDAY, APRIL 28, 2023

9:00am Coverage and Exclusions Update

	Fraud Track*	Medicare Track*	Emerging Issues/Hot Topics Track*
9:45am	Fraud and Rescission in First- and Third-Party Litigation	Fundamentals of Medicare From a No-Fault Attorney's Perspective	Post- <i>Andary</i> Strategy

10:30am Networking Break

	Fraud Track*	Medicare Track*	Emerging Issues/Hot Topics Track*
10:45am	Benefits through the Michigan Assigned Claims Plan	Medicare Secondary Payor Under the New No-Fault Act	MCCA's Involvement in Catastrophic PIP Claims

11:30am Views from the Bench on No-Fault Litigation

*MP3 download available for all sessions of this track to all registrants after the seminar

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Tracks

Plenary Sessions

9:00am/Thursday

First-Party Litigation Update

Stay up to date on essential first-party no-fault cases. Confidently advise your clients about issues such as retroactivity of fee caps; practicing under *Andary* and its anticipated and actual impact on practice and injunctions; and other new developments in no-fault litigation.

Robert E. Logeman, Logeman Iafate & Logeman PC, *Ann Arbor*;
John W. Whitman, Garan Lucow Miller PC, *Ann Arbor*

9:55am/Thursday

Third-Party Threshold Litigation

Stay current on the latest legal and medical developments in this crucial area of no-fault practice. Get up-to-the-minute analysis of recent caselaw regarding serious impairment of a body function; permanent, serious disfigurement; and related medical and evidentiary issues.

Thomas G. Sinas, Sinas Dramis Law Firm, *Grand Rapids*

10:55am/Thursday

No-Fault Benefits, Setoffs, and Priorities Update

Explore the year's most significant decisions affecting benefits, setoffs, and priorities. This comprehensive update will provide the tools you need to navigate these critical issues when they arise.

Daniel S. Saylor, Garan Lucow Miller PC, *Detroit*

12:30pm/Thursday

Networking Lunch

3:50pm/Thursday

Handle Catastrophic Injury Claims

Review home or vehicle modifications and attendant care claims. Untangle claims that receive unusual treatment. Grasp the impact of no-fault reform on catastrophic claims and the role of the MCCA. Gain best practices for negotiation and settlement of catastrophic claims.

Wayne J. Miller, Miller & Tischler PC, *Farmington Hills*; Ronald M. Sangster, Jr., Law Offices of Ronald M. Sangster PLLC, *Troy*

4:50pm/Thursday

Networking Reception

Relax and join faculty and fellow registrants for light hors d'oeuvres and cocktails.

9:00am/Friday

Coverage and Exclusions Update

In this essential update, hear a discussion of the latest cases applying and interpreting the No-Fault Act's coverage provisions, MCL 500.3101, .3105(1), .3111, .3121(1), and exclusion provisions, MCL 500.3105(4), .3106, .3113, .3123, with commentary on their impact for plaintiff and defense practitioners.

James G. Gross, James G. Gross PLC, *Detroit*

11:30am/Friday

Views from the Bench on No-Fault Litigation

Get a view from the bench on no-fault reform's latest impact on litigation; briefing and oral arguments in motions for summary disposition; and res judicata. Gain helpful insights on the practical challenges facing practitioners. Learn what's happening with virtual and in-person proceedings from busy circuit court judges and get the perspectives from the court of appeals. Take away best practices.

David E. Christensen (moderator), Christensen Law, *Southfield*;
Hon. David J. Allen, 3rd Circuit Court, *Detroit*; Hon. Carol Anne Kuhnke, 22nd Circuit Court, *Ann Arbor*; Hon. Douglas B. Shapiro, Michigan Court of Appeals, *Grand Rapids*

Core Concepts Track

11:45am/Thursday

Best Practices for Pretrial Discovery and Motions for Summary Disposition

Make the most of your motion practice with advice from experienced plaintiff and defense counsel. Learn sound strategies for what to file and when, and properly requesting and receiving all the pertinent records.

Kaitlyn A. Cramer, Novara Tesija Catenacci McDonald & Baas PLLC, *Troy*; Adrienne D. Logeman, Logeman Iafate & Logeman PC, *Ann Arbor*

1:45pm/Thursday

Settlement and ADR: Resolving Cases in No-Fault

Explore the dos and don'ts of resolving your auto no-fault first- and third-party claims. Effectively handle your case evaluation

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Tracks

hearing, facilitation, or arbitration. Hear from those who evaluate these claims, sit as arbitrators, and mediate your cases.

Robert M. Raitt, Raitt Law PLLC, *Southfield*; James J. Rashid, Judicial Resource Services PC, *Farmington Hills*

2:35pm/Thursday

Trial: Preparation and Practice

Address the preparation and execution of trial strategy. Incorporate tips and tactics from both sides of the aisle on nailing opening statement promises, keeping the jury engaged and interested through expert testimony, and delivering a memorable closing argument.

S. Wesley Compton, Padilla Law Group, *Birmingham*; Michael J. Jolet, Hewson & Van Hellemont PC, *Oak Park*

Claims Handling Track

11:45am/Thursday

Red Flags in the Claims File

Learn how to identify fraud indicators in the claim file and get best practices for how to proactively and effectively deal with them.

Marcy A. Tayler, Kitch Drutchas Wagner Valitutti & Sherbrook, *Detroit*

1:45pm/Thursday

Documenting Claims Files

Not sure what the claims file consists of? Then this session is for you. Understand the puzzle that is the claims file and where each piece fits. Pinpoint what documents establish A) an accident happened; B) injuries arose from that accident; C) the treatment provided was necessary; and D) the services billed for were reasonable and customary.

Andrew M. Saperstein, The Saperstein Law Firm PLLC, *Auburn Hills*

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2:35pm/Thursday

Preparation for an Adjuster Deposition

Learn what questions are allowable in an adjuster deposition and proper defense objections. Explore what documents should be produced in responding to a deposition notice *duces tecum*. Get expert insight on your practical questions.

Cinnamon A. Plonka, Zausmer PC, *Farmington Hills*

Third-Party Issues Track

11:45am/Thursday

Changes to Third-Party Litigation and Utilization Review: Usage and Determination Trends

Discover changes to third-party litigation from a trial perspective. Explore the different elements of third-party discovery and understand how these elements come together at trial. Learn more about the implications for excess medical benefits in third-party bodily injury claims. Gain a more comprehensive understanding of the utilization review process with an evaluation of recent trends in utilization review determinations.

Danielle R. DePriest, Zausmer PC, *Farmington Hills*

1:45pm/Thursday

Auto Tort Damages: Noneconomic Damages—Presenting and Defending

Focus on the various considerations regarding auto tort damages under the new no-fault law. Get plaintiff and defense perspectives on presenting, proving, and defending noneconomic damages in auto tort cases.

Matthew S. LaBeau, Collins Einhorn Farrell PC, *Southfield*; Deborah A. Lujan, Collins Einhorn Farrell PC, *Southfield*; Stephen H. Sinas, Sinas Dramis Law Firm, *Lansing*; Sarah Stempky-Kime, Christensen Law, *Southfield*

2:35pm/Thursday

Auto Tort Damages: Economic Damages—Presenting and Defending

Focus on the various considerations regarding auto tort damages under the new no-fault law. Get plaintiff and defense perspectives on presenting, proving, and defending economic damages in auto tort cases, including excess allowable expense claims under the new no-fault law.

Matthew S. LaBeau, Collins Einhorn Farrell PC, *Southfield*; Deborah A. Lujan, Collins Einhorn Farrell PC, *Southfield*; Stephen H. Sinas, Sinas Dramis Law Firm, *Lansing*; Sarah Stempky-Kime, Christensen Law, *Southfield*

Fraud Track

9:45am/Friday

Fraud and Rescission in First- and Third-Party Litigation

Get the latest on common rescission issues, the continuing impact of *Meemic v Fortson*, and how to address fraud in PIP and auto negligence actions. Take away best practices and tips for prosecuting and defending claims. Take a look at medical

provider fraud in the PIP realm and towing/collision shop fraud in the property realm.

Frederick V. Livingston, Novara Tesija Catenacci McDonald & Baas PLLC, *Troy*; Drew A. Ruby, Raitt Law PLLC, *Southfield*

10:45am/Friday

Benefits through the Michigan Assigned Claims Plan

Claims through the Michigan Automobile Insurance Placement Facility have exploded due to the reformation of the Michigan No-Fault Act. Learn why there has been such an increase, the new priority order for claims under the Michigan Assigned Claims Plan, statutory limits on medical benefits, and critical information the MACP application for benefits must have.

David M. Pierangeli, McDonald Pierangeli Macfarlane PLLC, *Grand Rapids*

Medicare Track

9:45am/Friday

Fundamentals of Medicare From a No-Fault Attorney's Perspective

Get an overview of Medicare: Part A, Part B, Part C, and Part D. Understand Medicare reporting by injured claimants and no-fault insurers. Recognize the importance of ICD-10 diagnostic codes when reporting to Medicare. Deal with Medicare conditional payments in first-party and third-party cases.

Richard F. Burns, Jr., Law Offices of Richard F Burns Jr PC, *Bingham Farms*; Ronald M. Sangster, Jr., Law Offices of Ronald M. Sangster PLLC, *Troy*

10:45am/Friday

Medicare Secondary Payor Under the New No-Fault Act

Manage client expectations. Examine the future of the LMSA and Medicare statute of limitation issues. Deal with Medicare conditional payments; distinguish the responsible reporting entity (RRE) versus plaintiff and the RRE's impact. Use conditional payment at every opportunity in trial.

Bryan L. Schefman, Schefman & Associates PC, *Bloomfield Hills*

Emerging Issues/Hot Topics Track

9:45am/Friday

Post-Andary Strategy

Review where things are with the status of appeal. Strategize around preserving clawback rights. Get a preview of the future challenges plus potential strategies and outcomes.

Lori M. McAllister, Dykema, *Lansing*

10:45am/Friday

MCCA's Involvement in Catastrophic PIP Claims

Review MCCA's rights and responsibilities for reimbursement of member insurer catastrophic claims. Examine the source of the MCCA's responsibilities under *USF&G v MCCA* and MCL 500.3104. Get the status of lawsuits and appeals against the MCCA.

Nicholas S. Andrews, Liss Seder & Andrews PC, *Bloomfield Hills*

Moderators



Friday Medicare Track

Ali A. Ajrouch
Law Offices of Joumana Kayrouz,
Southfield



Plenary Session

Chad D. Engelhardt
Goethel Engelhardt PLLC,
Ann Arbor



Thursday Core Concepts Track

Michael J. Jolet
Hewson & Van Hellemont PC,
Oak Park



Friday Emerging Issues/Hot Topics Track

Karen W. Magdich
Magdich Law PC, *Livonia*



Friday Fraud Track

David M. Pierangeli
McDonald Pierangeli Macfarlane
PLLCC, *Grand Rapids*



Thursday Third-Party Issues Track

Stephen H. Sinas
Sinus Dramis Law Firm, *Lansing*



Thursday Claims Handling Track

Marcy A. Tayler
Kitch Drutchas Wagner Valitutti &
Sherbrook, *Detroit*

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Prices guaranteed until 04/28/23. Cannot combine discounts. ¹Please attach additional sheet listing registrants attending. All registrations must be submitted and paid for at the same time. ²Current sitting state court judges (limit 40) attend free and must call ICLE or submit order form to register. ³Limit one print handbook purchase per registrant. Print handbooks are nonfundable after the event cancellation date. **Complete Seminar Policies:** www.icle.org/info/seminarpolicies. **Cancellation Policy:** For a full refund, notify ICLE by 04/13/23. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 04/20/23. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar.

Accommodations: A block of rooms has been reserved at Saint John's Resort in Plymouth under group code IC042623A for 04/26-27/23. Visit www.icle.org/no-fault/hotel or call 734-414-0600 and mention ICLE's No-Fault Summit to reserve a room. Reservations must be made by 04/12/23. Registrants are responsible for their own hotel expenses. (Please note that Saint John's Resort was formerly The Inn at St. John's.)